

**WEDNESDAY, APRIL 23, 1997**

**THIRTY-THIRD LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Danny Gray, Ethridge Church of Christ, Ethridge, Tennessee.

Representative White led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Huskey; illness

**PERSONAL ORDERS**

**RECOGNITION IN THE WELL**

Rep. Langster was recognized in the Well to honor the Alpha Kappa Alpha sorority.

**RULES SUSPENDED**

Rep. Langster moved that the rules be suspended for the purpose of introducing **House Resolution No. 61** out of order, which motion prevailed.

**House Resolution No. 61** -- Naming and Designating - "Alpha Kappa Alpha Sorority, Inc. Day on Capitol Hill," April 23, 1997. by \*Langster.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Langster, the resolution was adopted.

A motion to reconsider was tabled.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 44:** Rep(s). Jackson, Cross, Ridgeway, Givens, Goins, Rinks, Maddox and Fitzhugh as prime sponsor(s).

**House Bill No. 94:** Rep(s). Haley as first prime sponsor(s).

**House Bill No. 1510:** Rep(s). Kent, L. DeBerry and Cooper as prime sponsor(s).

**House Bill No. 1601:** Rep(s). Phelan as prime sponsor(s).

**House Bill No. 1614:** Rep(s). Fraley and Bittle as prime sponsor(s).

**MESSAGE FROM THE SENATE**

**April 22, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 83, 1047, 1151, 1187, 1310, 1380, 1636, 1685, 1699 and 1910; also, Senate Joint Resolution(s) No(s). 164, 166, 167 and 168 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 22, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 15, 204, 904, 923, 978, 1176, 1186, 1960, 1962, 1963 and 1966; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 22, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 72, 73, 101, 183 and 185; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 22, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 85, 139 and 179; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Joint Resolution No. 85** -- General Assembly, Confirmation of Appointment - Dr. June Scobee Rodgers, Tennessee Higher Education Commission. by \*Fowler, \*Crutchfield.

**\*Senate Joint Resolution No. 139** -- General Assembly, Directed Studies - Directs TACIR to study differential sales tax rates, job and revenue loss and other relevant tax issues. by \*Crutchfield.

**\*Senate Joint Resolution No. 179** -- Highway Signs - "Farris Baker-Tilman Nash Memorial Bridge," S.R. 50, Hickman County. by \*Springer.

**MESSAGE FROM THE SENATE**

**April 22, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 166, 331, 383, 742, 888, 913, 1059, 1193, 1341, 1464, 1559, 1645, 1713, 1818 and 1948; all passed in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 166** -- Taxes, Sales - Extends sales tax exemption to 501(c)(13) not-for-profit cemetery companies. Amends TCA Section 67-6-322. by \*Womack, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**Senate Bill No. 331** -- Insurance, Health, Accident - Requires written confirmation of verbal authorization for health care services by quickest means possible, including facsimile transmissions where health care provider, insured or enrollee has access to fax machine. Amends TCA Title 56. by \*Springer.

**WEDNESDAY, APRIL 23, 1997 -- THIRTY-THIRD LEGISLATIVE DAY**

**\*Senate Bill No. 383** -- Insurance, Health, Accident - Adds dentistry to list of services for which benefits may be assigned. Amends TCA Section 56-7-120. by \*Atchley.

**\*Senate Bill No. 742** -- Taxes - Requires question on Hall income tax form to determine if use taxes on out of state purchases in excess of \$500 have been paid, if not, department to collect. Amends TCA Title 67, Chapter 2 and Title 67, Chapter 6. by \*Gilbert.

**\*Senate Bill No. 888** -- Election Laws - Permits rearrangement of names on voting machine ballot so machine will accommodate entire ballot. Amends TCA Title 2, Chapter 5, Part 2. by \*Dixon.

**\*Senate Bill No. 913** -- Mental Retardation - Requires criminal background checks on persons employed to work with or have contact with persons with developmental disabilities. Amends TCA Section 33-1-209; Section 33-1-209; Section 38-6-114 and Section 38-6-114. by \*Gilbert, \*Cohen, \*Person, \*McNally, \*Harper, \*Williams.

**Senate Bill No. 1059** -- Pharmacy - Allows pharmacists to form buying consortiums for purchase of drugs and other medical equipment and supplies in bulk for resale in pharmacies. Amends TCA Title 63, Chapter 10. by \*Womack, \*Haun, \*Carter, \*Crowe, \*Davis L, \*Dixon, \*Elsea, \*Koella, \*Herron.

**\*Senate Bill No. 1193** -- Local Education Agency - Permits schools director or certified physician statement to waive or reduce 30 day formal teacher leave notice requirement; requires schools director to act on request within 15 days; requires written notification of action and beginning and ending dates of leave granted. Amends TCA Title 49. by \*Ramsey.

**\*Senate Bill No. 1341** -- Education - Expands list of prohibited substances for possession of which student may be expelled to include prescription drug or any other controlled substance. Amends TCA Section 49-6-4018. by \*Cooper.

**\*Senate Bill No. 1464** -- Taxes, Sales - Increases from 30 to 35 years term for issuance of bonds for construction of sports facility eligible for special tax treatment. Amends TCA Title 7, Chapter 67 and Title 67, Chapter 6. by \*Cohen, \*Ford J.

**\*Senate Bill No. 1559** -- Housing - Restricts availability of tax increment financing to housing authority properties actually constructed with such financing and leased to private entity. Amends TCA Section 13-20-205. by \*Crutchfield.

**\*Senate Bill No. 1645** -- Textbooks - Directs textbook commission, in recommending social studies and history textbooks, to strive to recommend textbooks which accurately and comprehensively portray full range of diversity and achievement of racial and ethnic minorities. Amends TCA Section 49-6-2202. by \*Ford J, \*Dixon.

**WEDNESDAY, APRIL 23, 1997 -- THIRTY-THIRD LEGISLATIVE DAY**

**\*Senate Bill No. 1713** -- Insurance, Life - Disallows payment of enhanced or specified benefit under policy of life, disability or credit life if insured suffers accidental injury, death or disability while operating or in physical control of motor vehicle and is DUI. Amends TCA Title 56, Chapter 7. by \*Atchley.

**\*Senate Bill No. 1818** -- Hospitals and Health Care Facilities - Provides that licensed home health agencies providing long-term care alternatives for special needs populations shall be granted certificates of need on state-wide basis. Amends TCA Title 68. by \*Ford J.

**Senate Bill No. 1948** -- Centerville - Subject to local approval, revises charter Amends Chapter 482 of the Private Acts of 1911. by \*Springer.

**REPORT OF CHIEF ENGROSSING CLERK**

**April 22, 1997**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 15, 204, 904, 923, 978, 1176, 1186, 1960, 1962, 1963 and 1966; also, House Joint Resolution(s) No(s). 72, 73, 101, 183 and 185.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

**April 22, 1997**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 4, 542, 603, 663, 830, 835, 924, 961, 1020, 1059, 1231, 1302, 1425, 1578, 1615, 1926, 1942 and 1957, also, House Joint Resolution(s) No(s). 73, 165, 170, 172, 173, 174, 175, 176, 177, 178, 179 and 180; with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

**April 23, 1997**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 1864 and 1958, without his signature.

COURTNEY PEARRE, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

**April 23, 1997**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 413, also, House Joint Resolution(s) No(s). 72, 101, 183 and 185; with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**ENROLLED BILLS**

**April 23, 1997**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 30 and 1030.

BETTY KAY FRANCIS, Chief Engrassing Clerk.

**SIGNED**

**April 23, 1997**

The Speaker signed the following: House Bill(s) No(s). 30 and 1030.

BETTY KAY FRANCIS, Chief Engrassing Clerk.

**MESSAGE FROM THE SENATE**

**April 23, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 195; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 195** -- Memorials, Recognition and Thanks - Central Baptist Church of Oak Ridge, 50th anniversary. by \*McNally.

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Resolution No. 57** -- General Assembly, Studies - Creates special committee to study effects of discrimination in workplace. by \*Boner, \*Pruitt, \*Jones, S., \*Chumney, \*Kernell, \*Brooks, \*Jones U (Shelby), \*DeBerry J, \*Langster, \*West, \*Bone, \*Miller L, \*Arriola, \*DeBerry L, \*Turner (Hamilton).

Consumer & Employee Affairs Committee

**\*House Resolution No. 59** -- General Assembly, Studies - Creates study committee to review waste tire policies. by \*Rinks.

State & Local Government Committee

**\*House Joint Resolution No. 207** -- Memorials, Government Officials - Requests governor and department of environment and conservation to take certain actions regarding incinerator at Oak Ridge. by \*Cross.

Conservation & Environment Committee

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**\*House Joint Resolution No. 211** -- Constitutional Amendments - Establishes sportsperson's bill of rights. by \*Bittle.

Judiciary Committee

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 24, 1997:

**House Resolution No. 60** -- Memorials, Recognition and Thanks - Leonard Barding Sr. by \*Ferguson.

**House Resolution No. 62** -- Memorials, Professional Achievement - 1997 Honorarium for Women and Industry Honorees. by \*Westmoreland, \*Hicks, \*Mumpower, \*Godsey, \*Givens.

**House Resolution No. 63** -- Memorials, Death - Joseph J. Wimberly, III. by \*Hargrove.

**House Joint Resolution No. 209** -- Memorials, Sports - Billy Schrivner, National Sports Hall of Fame. by \*Kisber, \*McDaniel.

**House Joint Resolution No. 210** -- Memorials, Death - John Robertson. by \*Goins.

**House Joint Resolution No. 212** -- Memorials, Personal Achievement - Korey Bruce Clifton, Eagle Scout. by \*Pleasant, \*Haley, \*Hargett.

**House Joint Resolution No. 215** -- Memorials, Recognition and Thanks - David Seivers, "Good Guy Award" recipient. by \*Winningham, \*Ridgeway, \*Cross, \*Ferguson, \*Caldwell.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 24, 1997:

**Senate Joint Resolution No. 195** -- Memorials, Recognition and Thanks - Central Baptist Church of Oak Ridge, 50th anniversary. by \*McNally.

### RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

**\*Senate Joint Resolution No. 85** -- General Assembly, Confirmation of Appointment - Dr. June Scobee Rodgers, Tennessee Higher Education Commission. by \*Fowler, \*Crutchfield.

Education Committee

**\*Senate Joint Resolution No. 139** -- General Assembly, Directed Studies - Directs TACIR to study differential sales tax rates, job and revenue loss and other relevant tax issues. by \*Crutchfield.

Finance, Ways & Means Committee

**\*Senate Joint Resolution No. 179** -- Highway Signs - "Farris Baker-Tilman Nash Memorial Bridge," S.R. 50, Hickman County. by \*Springer.

Transportation Committee

### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 1982** -- Obion County - Subject to local approval, repeals requirement that tax assessor note and collect notation fee on all instruments vesting or divesting title or interest in real property prior to filing of instruments. - Repeals Chapter 260 of the Private Acts of 1961. by \*Pinion.

**House Bill No. 1983** -- Murfreesboro - Subject to local approval, requires competitive bidding procedures to be established for leases, purchases and lease-purchases in excess of \$7,500; requires public works projects in excess of \$10,000 to be executed by contract; makes certain surety requirements for contractors applicable to public works contracts in excess of \$25,000; establishes right to reject all bids made on public works projects; requires all advertisements to contain reservation of such right Amends Chapter 429 of the Private Acts of 1931; as amended. by \*Hood, \*Eckles.

**House Bill No. 1984** -- Murfreesboro - Subject to local approval, clarifies duties of mayor relative to signing ordinances and other legal documents and executing contracts on behalf of city Amends Chapter 429 of the Private Acts of 1931; as amended. by \*Hood, \*Eckles.

**House Bill No. 1985** -- Anderson County - Subject to local approval, implements severance tax on pulpwood. by \*Caldwell.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 166** -- Taxes, Sales - Extends sales tax exemption to 501(c)(13) not-for-profit cemetery companies. Amends TCA Section 67-6-322. by \*Womack, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack. (HB277)

**Senate Bill No. 331** -- Insurance, Health, Accident - Requires written confirmation of verbal authorization for health care services by quickest means possible, including facsimile transmissions where health care provider, insured or enrollee has access to fax machine. Amends TCA Title 56. by \*Springer. (\*HB357)

**\*Senate Bill No. 383** -- Insurance, Health, Accident - Adds dentistry to list of services for which benefits may be assigned. Amends TCA Section 56-7-120. by \*Atchley. (HB1601)

**\*Senate Bill No. 742** -- Taxes - Requires question on Hall income tax form to determine if use taxes on out of state purchases in excess of \$500 have been paid, if not, department to collect. Amends TCA Title 67, Chapter 2 and Title 67, Chapter 6. by \*Gilbert. (HB565)

**\*Senate Bill No. 888** -- Election Laws - Permits rearrangement of names on voting machine ballot so machine will accommodate entire ballot. Amends TCA Title 2, Chapter 5, Part 2. by \*Dixon. (HB1464)

**\*Senate Bill No. 913** -- Mental Retardation - Requires criminal background checks on persons employed to work with or have contact with persons with developmental disabilities. Amends TCA Section 33-1-209; Section 33-1-209; Section 38-6-114 and Section 38-6-114. by \*Gilbert, \*Cohen, \*Person, \*McNally, \*Harper, \*Williams. (HB1328)

**Senate Bill No. 1059** -- Pharmacy - Allows pharmacists to form buying consortiums for purchase of drugs and other medical equipment and supplies in bulk for resale in pharmacies. Amends TCA Title 63, Chapter 10. by \*Womack, \*Haun, \*Carter, \*Crowe, \*Davis L, \*Dixon, \*Elsea, \*Koella, \*Herron. (\*HB700)

**\*Senate Bill No. 1193** -- Local Education Agency - Permits schools director or certified physician statement to waive or reduce 30 day formal teacher leave notice requirement; requires schools director to act on request within 15 days; requires written notification of action and beginning and ending dates of leave granted. Amends TCA Title 49. by \*Ramsey. (HB1522)

**\*Senate Bill No. 1341** -- Education - Expands list of prohibited substances for possession of which student may be expelled to include prescription drug or any other controlled substance. Amends TCA Section 49-6-4018. by \*Cooper. (HB1521)

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**\*Senate Bill No. 1464** -- Taxes, Sales - Increases from 30 to 35 years term for issuance of bonds for construction of sports facility eligible for special tax treatment. Amends TCA Title 7, Chapter 67 and Title 67, Chapter 6. by \*Cohen, \*Ford J. (HB1510)

**\*Senate Bill No. 1559** -- Housing - Restricts availability of tax increment financing to housing authority properties actually constructed with such financing and leased to private entity. Amends TCA Section 13-20-205. by \*Crutchfield. (HB1429)

**\*Senate Bill No. 1645** -- Textbooks - Directs textbook commission, in recommending social studies and history textbooks, to strive to recommend textbooks which accurately and comprehensively portray full range of diversity and achievement of racial and ethnic minorities. Amends TCA Section 49-6-2202. by \*Ford J, \*Dixon. (HB1633)

**\*Senate Bill No. 1713** -- Insurance, Life - Disallows payment of enhanced or specified benefit under policy of life, disability or credit life if insured suffers accidental injury, death or disability while operating or in physical control of motor vehicle and is DUI. Amends TCA Title 56, Chapter 7. by \*Atchley. (HB1669)

**\*Senate Bill No. 1818** -- Hospitals and Health Care Facilities - Provides that licensed home health agencies providing long-term care alternatives for special needs populations shall be granted certificates of need on state-wide basis. Amends TCA Title 68. by \*Ford J. (HB1913)

**Senate Bill No. 1948** -- Centerville - Subject to local approval, revises charter. Amends Chapter 482 of the Private Acts of 1911. by \*Springer. (HB1940)

### **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1979** -- Cheatham County -- Local Bill Held on the House Desk

**House Bill No. 1980** -- Cheatham County -- Local Bill Held on the House Desk

**House Bill No. 1981** -- Cheatham County -- Local Bill Held on the House Desk

### **REPORTS FROM STANDING COMMITTEES**

The committees that met on **April 22, 1997**, reported the following:

#### **COMMITTEE ON CALENDAR AND RULES**

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 24, 1997**: Bill(s) No(s).1405, 696, 1082, 1121, 1815, 838, 1429, 1569 and 300.

## WEDNESDAY, APRIL 23, 1997 -- THIRTY-THIRD LEGISLATIVE DAY

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 28, 1997**: House Bill(s) No(s). 1524, 526, 1640, 673, 277, House Joint Resolution(s) No(s). 70 and 25, House Resolution(s) No(s). 13 and Senate Joint Resolution(s) No(s). 160.

### COMMERCE

The Commerce Committee recommends for passage: House Bill(s) No(s). 629 and 1368; also House Bill(s) No(s). 1053, 1008, 768, 1920 and 665 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 785 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee further reported that House Bill(s) No(s). 647 was considered but failed to pass.

### CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 1014 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1501 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 1523 and House Resolution(s) No(s). 55, also House Bill(s) No(s). 266 and 1869 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1721 and 1378; also House Bill(s) No(s). 1536 and 1379 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee further reported that House Bill(s) No(s). 1908 was considered but failed to pass.

### FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 563, 1519, 772 and 1906, also House Bill(s) No(s). 1286, 1075, 1056 and 407 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 193, 194, 181, 189, 172, 197 and 1218. Under the rules, each was transmitted to the Calendar and Rules Committee.

### HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: Senate Joint Resolution(s) No(s). 153 and House Joint Resolution(s) No(s). 168, also House Bill(s) No(s). 356 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1492 ; also House Bill(s) No(s). 411 and 1913 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 628, 1337, 1652 and 1634, also House Bill(s) No(s). 264, 1462, 1592, 679, 1001 and 868 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1517 and 727 ; also House Bill(s) No(s). 945, 589 and 823 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### REPORTS FROM STANDING COMMITTEES

The committees that met on **April 23, 1997**, reported the following:

#### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for April 28, 1997**: House Bill(s) No(s). 788, 1052, 789, 1901, 1193, 1736, 1202, 1687, 631, 632, 440, 495, 1089, 1265 and 600.

## **WEDNESDAY, APRIL 23, 1997 -- THIRTY-THIRD LEGISLATIVE DAY**

The Committee set the following bill(s) and/or resolution(s) on the **Regular Calendar** for **April 30, 1997**: House Bill(s) No(s). 922

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 28, 1997**: House Bill(s) No(s). 1250, 1208, 528, House Joint Resolution(s) No(s). 64 and 90, House Resolution(s) No(s). 4, 6, 7 and 47 and Senate Joint Resolution No(s).58.

### **CHILDREN & FAMILY AFFAIRS**

The Committee on Children and Family Affairs recommended for passage: House Bill(s) No(s). 336, 1161, 381 and 899 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1329 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### **CONSUMER AND EMPLOYEE AFFAIRS**

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 392, 1878 and 1445, also House Bill(s) No(s). 1353, 1720 and 1788 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### **JUDICIARY**

The Judiciary Committee recommended for passage: House Bill(s) No(s). 799, 757, 758, 434, 1740 and 55, also House Bill(s) No(s). 798, 800, 801, 760, 761, 1345, 1661, 1275 and 1403 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1910, 47 and 1641 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### **TRANSPORTATION**

The Transportation Committee recommended for passage: House Bill(s) No(s). 1100, 780 and House Joint Resolution(s) No(s).169, 194 and 147; also House Bill(s) No(s). 850, 94 and 1147 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1817, 1621 and 557 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**CAPTION BILLS REFERRED**

**April 22, 1997**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 1667, 1573, 1785, 1149, 893, 71, 1562, 1804, 905 and 1718 held on the Clerk's desk were referred to the following Committee(s):

**House Bill No. 1667** -- Education -- House Education Committee

**\*House Bill No. 1573** -- Workers' Compensation -- House Consumer & Employee Affairs Committee

**House Bill No. 1785** -- Consumer Protection -- House Consumer & Employee Affairs Committee

**House Bill No. 1149** -- Telecommunications -- House Commerce Committee

**House Bill No. 893** -- Private Protective Services -- House Commerce Committee

**\*House Bill No. 71** -- State Employees -- House State & Local Government Committee

**House Bill No. 1562** -- State Employees -- House State & Local Government Committee

**\*House Bill No. 1804** -- Tennessee Housing Development Agency -- House State & Local Government Committee

**House Bill No. 905** -- Sexual Offenses -- House Judiciary Committee

**House Bill No. 1718** -- Courts -- House Judiciary Committee

**CAPTION BILLS REFERRED**

**April 23, 1997**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 129, 667, 1561, 1647, 1724 1479 and 1792 held on the Clerk's desk were referred to the following Committee(s):

**\*House Bill No. 129** -- Solid Waste Disposal -- House State & Local Government Committee

**\*House Bill No. 667** -- Aged Persons -- House Health & Human Resources Committee

**House Bill No. 1561** -- Personnel Recruiting Services -- House Consumer & Employee Affairs Committee

**House Bill No. 1647** -- Criminal Procedure -- House Judiciary Committee

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**House Bill No. 1724** -- Mental Health and Mental Retardation, Dept. of -- House Health & Human Resources Committee

**House Bill No. 1479** -- Equalization Board -- House State & Local Government Committee

**\*House Bill No. 1792** -- Funeral Directors and Embalmers -- House Government Operations Committee

**CONSENT CALENDAR**

**House Joint Resolution No. 203** -- Memorials, Personal Achievement - 1997 Beautillion Militaire. by \*Turner (Shelby).

**House Joint Resolution No. 204** -- Memorials, Professional Achievement - Roger Crouch, NASA scientist. by \*Newton.

**House Joint Resolution No. 205** -- Memorials, Congratulations - Gallatin High School Class of 1957 40th Reunion. by \*McDonald, \*Stamps.

**House Joint Resolution No. 206** -- Memorials, Sports - 1996-1997 Bradford High School girls' basketball team, TSSAA Class A state champions. by \*Phelan, \*Pinion.

**House Joint Resolution No. 208** -- Memorials, Professional Achievement - Wisdom Franchot Coleman, Jr., D.D.S., M.P.H.A., appointment as Associate Professor and Director of Admissions, University of Tennessee, Memphis, College of Dentistry. by \*DeBerry L, \*Bowers, \*DeBerry J, \*Chumney, \*Turner (Shelby).

Rep. Newton moved that all members voting aye on **House Joint Resolution No. 204** be added as sponsors which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Miller moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 95  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant,

Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

#### REGULAR CALENDAR

**House Bill No. 1549** -- Education, Higher - Authorizes board of trustees of baccalaureate education system trust fund program to delegate day to day operating responsibilities to state treasurer; allows program participants to retain or transfer tuition units. Amends TCA Title 49, Chapter 7, Part 8. by \*Davidson. (\*SB1330 by \*Haynes)

On motion, House Bill No. 1549 was made to conform with **Senate Bill No. 1330**; the Senate Bill was substituted for the House Bill.

Rep. Davidson moved that Senate Bill No. 1330, be passed on third and final consideration.

#### CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

#### REGULAR CALENDAR, CONTINUED

On motion, Rep. Davidson withdrew Education Committee Amendment No. 1.

Rep. Davidson moved that **Senate Bill No. 1330** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 1174** -- Pharmacy - Extends period from ten to 15 days for filing performance oath by Pharmaceutical Association appointees. Amends TCA Title 63, Chapter 10. by \*Kerr, \*Walker. (\*SB1271 by \*Miller J)

Rep. Kerr moved that House Bill No. 1174 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:  
**Amendment No. 1**

AMEND House Bill No. 1174 by deleting all language after the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 63-10-305, is amended by adding the following language to the section:

No program administrator shall deny or withhold payment to any pharmacy for duplicate prescription refills, or prescription refills that are dispensed early in relation to the prior day's supply dispensed, where such refills are for the purpose of replacing lost or destroyed medication or providing the patient with the quantity necessary for extended travel away from the community in which the patient resides, or for any other bona fide reason that causes the patient to be without medication, when the discontinuation of the medicine would, in the pharmacist's professional judgment, place the patient at risk of harm.

Section 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Section 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Kerr moved that **House Bill No. 1174**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley,

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Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**\*House Bill No. 678** -- Health - Removes authorization of volunteer rescue squads to transport patient without EMT, physician or nurse accompanying transported patient. Amends TCA Title 68, Chapter 140, Part 5. by \*Ridgeway, \*Westmoreland, \*Caldwell. (SB1181 by \*Ramsey)

On motion, House Bill No. 678 was made to conform with **Senate Bill No. 1181**; the Senate Bill was substituted for the House Bill.

Rep. Ridgeway moved the Senate Bill No. 1181 be passed on third and final consideration.

On motion, Rep. Armstrong withdrew Health & Human Resources Committee Amendment No. 1.

Rep. Ridgeway moved that **Senate Bill No. 1181** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 96  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 96.

A motion to reconsider was tabled.

**House Bill No. 550** -- Insurance, Health, Accident - Creates Class A misdemeanor offense, punishable by \$2,500 fine only for each violation, for insurance agent to quote rate for group health insurance if agent, either directly or indirectly, assists person in obtaining TennCare and person would otherwise have been eligible to participate in group plan. Amends TCA Title 56. by \*Wood. (\*SB622 by \*Fowler)

Rep. Wood moved that House Bill No. 550 be passed on third and final consideration.

Rep. Odom moved the previous question, which motion prevailed.

Rep. Wood moved that **House Bill No. 550** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	91
Noes .....	3
Present and not voting.....	3

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Arriola, Jones U., Windle -- 3.

Representatives present and not voting were: Brooks, Kernell, Turner (Shelby) -- 3.

A motion to reconsider was tabled.

#### CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

#### REGULAR CALENDAR, CONTINUED

**House Bill No. 44** -- Driver Licenses - Prohibits issuance of restricted commercial driver license for operating school bus. Amends TCA Title 55, Chapter 50. by \*Ferguson, \*Halteman Harwell. (\*SB7 by \*Henry, \*Davis L, \*Williams, \*Haynes)

On motion, House Bill No. 44 was made to conform with **Senate Bill No. 7**; the Senate Bill was substituted for the House Bill.

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Rep. Ferguson moved that Senate Bill No. 7 be passed on third and final consideration.

Rep. Haley moved the previous question, which motion prevailed.

Rep. Ferguson moved that **Senate Bill No. 7** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 1385** -- Workers' Compensation - Adds representative of Tennessee Trial Lawyers Association to workers' compensation advisory board. Amends TCA Section 50-6-121. by \*Jones, S.. (\*SB643 by \*Person)

Rep. S. Jones moved that House Bill No(s). 1385 be reset for the Regular Calendar on Thursday, May 1, 1997, which motion prevailed.

**House Bill No. 1098** -- Administrative Procedure - Establishes notification procedure and requirements for administrative declaratory order hearing. Amends TCA Title 4, Chapter 5. by \*Kernell. (\*SB1257 by \*Springer)

Rep. Kernell requested that House Bill No. 1098 be moved down 5 places on the Calendar.

**House Bill No. 844** -- Opticians - Requires renewal of license as dispensing optician be submitted by December 31 of each year; gives board greater latitude to discipline dispensing opticians; gives recognition to apprenticeship training received in other states. Amends TCA Section 63-14-103; Section 63-14-104; Section 63-14-106; Section 63-14-109 and Section 63-14-111. by \*Hassell. (\*SB641 by \*Person)

Rep. Hassell moved that House Bill No. 844 be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 844 by deleting Section 6 of the printed bill in its entirety and by renumbering the subsequent sections accordingly.

On motion, Amendment No. 1 was adopted.

Rep. Hassell moved that **House Bill No. 844**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 97  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 690** -- Veterinarians - Expands lien so that animal considered abandoned when vet determines that address and telephone number given by owner are false Amends TCA Section 63-12-134. by \*Phelan. (\*SB520 by \*Rochelle)

On motion, House Bill No. 690 was made to conform with **Senate Bill No. 520**; the Senate Bill was substituted for the House Bill.

Rep. Phelan moved that **Senate Bill No. 520** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 98  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wunningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**House Bill No. 1459** -- Taxes, Real Property - Permits Shelby County board of equalization to maintain property records in the office of the board in the same manner as records are required to be maintained in office of assessor or property in other counties. Amends TCA Section 67-5-1414. by \*Jones U (Shelby), \*Kent, \*Turner (Shelby). (\*SB660 by \*Ford J)

Further consideration of House Bill No. 1459, previously considered on April 21, 1997, at which time it was objected to on the Consent Calendar and reset to today's Regular Calendar.

Rep. U. Jones moved that House Bill No. 1459 be passed on third and final consideration.

Rep. Kent moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1459 by deleting the punctuation "." at the end of subdivision (c) of Section 1 of the printed bill and by substituting instead "; provided, however, nothing contained in this subsection shall require any additional funding or additional personnel to be provided by county government."

On motion, Amendment No. 1 was adopted.

Rep. U. Jones moved that **House Bill No. 1459**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	94
Noes .....	0
Present and not voting.....	1

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Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood -- 94.

Representatives present and not voting were: Clabough -- 1.

A motion to reconsider was tabled.

**House Bill No. 1614** -- District Attorneys - Increases compensation for criminal investigators for district attorneys general. Amends TCA Section 8-7-201. by \*Hargrove, \*Hood. (\*SB1565 by \*Crutchfield)

Further consideration of House Bill No. 1614, previously considered on April 21, 1997, and reset to today's Calendar.

On motion, House Bill No. 1614 was made to conform with **Senate Bill No. 1565**; the Senate Bill was substituted for the House Bill.

Rep. Hargrove moved that Senate Bill No. 1565 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 1565 by deleting from subsection (a)(1) of the amendatory language of SECTION 1 the numeral "40,024" and substituting instead the numeral "42,024".

On motion, Amendment No. 1 was adopted.

Rep. Hargrove moved that **Senate Bill No. 1565**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	0
Present and not voting .....	2

**WEDNESDAY, APRIL 23, 1997 -- THIRTY-THIRD LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Clabough, Kerr -- 2.

A motion to reconsider was tabled.

**House Bill No. 1098** -- Administrative Procedure - Establishes notification procedure and requirements for administrative declaratory order hearing. Amends TCA Title 4, Chapter 5. by \*Kernell. (\*SB1257 by \*Springer)

Further consideration of House Bill No. 1098 previously considered on today's Calendar.

On motion, House Bill No. 1098 was made to conform with **Senate Bill No. 1257**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that **Senate Bill No. 1257** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 97  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 57** -- Highways, Roads and Bridges - Establishes certification board for candidates for chief administrative officer of county road departments. Amends TCA Section 54-7-104. by \*Rhinehart. (SB111 by \*Rochelle)

**Senate Amendment No. 1**

AMEND House Bill No. 57 by adding the following language after the first sentence of the amendatory language of Section 1(a)(3):

The terms of the members of the board shall begin on July 1, 1997.

**Senate Amendment No. 4**

AMEND House Bill No. 57 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in counties having a population, according to the 1990 federal census or any subsequent federal census of:

not less than

nor more than

26,100

26,400

13,680

13,750

**Senate Amendment No. 5**

AMEND House Bill No. 57 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than sixty-seven thousand six hundred (67,600) nor more than sixty-seven thousand nine hundred (67,900), according to the 1990 federal census or any subsequent federal census.

Rep. Rhinehart moved that the House concur in Senate Amendment(s) No(s). 1, 4 and 5 to **House Bill No. 57**, which motion prevailed by the following vote:

Ayes..... 97  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

### HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 276** -- Hospitals and Health Care Facilities - Requires board for licensing health care facilities to assess in writing fiscal impact of changes in nursing home standards. Comptroller shall deem such costs to be reasonable for rate setting purposes. Amends TCA Section 68-11-209. by \*Rhinehart. (SB270 by \*Rochelle)

#### Senate Amendment No. 1

AMEND House Bill No. 276 by deleting all language in SECTION 1 and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-11-209, is amended by redesignating the existing subsection (c) as subdivision (c)(1) and by adding the following new subdivision:

(c)(2) The board shall assess in writing the fiscal impact on licensed nursing homes relating to the adoption, repeal or amendment of any rule or minimum standard as to equipment or operating procedure. The cost necessary to bring a facility into compliance with such a directive by the board shall be made available to the comptroller of the treasury as a component of allowable cost in accordance with Medicare reimbursement principles. Such costs, however, shall be subject to all reimbursement limits and procedures specified in statute and state regulations for the reimbursement of nursing home services.

Rep. Rhinehart moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 276**, which motion prevailed by the following vote:

Ayes.....	95
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

### HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 1280** -- Taxes, Sales - Exempts from increase in local option sales tax rate sales contractually committed before 7/1/96 in cities over 100,000 with higher rate than county Amends TCA Title 67, Chapter 6. by \*Stulce, \*Wood, \*Sharp, \*McAfee, \*Brown, \*Turner (Hamilton). (\*SB1607 by \*Crutchfield)

#### Senate Amendment No. 2

AMEND House Bill No. 1280 by deleting Section 3 and by substituting instead the following:

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to sales contractually committed and/or for which money has been paid on or after July 1, 1996 through June 30, 1998.

Rep. Stulce moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 1280**, which motion prevailed by the following vote:

Ayes..... 96  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

## UNFINISHED BUSINESS

### RULES SUSPENDED

Rep. Bowers moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 216 out of order, which motion prevailed.

**House Joint Resolution No. 216** -- Memorials, Death - William C. "Bill" Weathers. by \*Bowers, \*Turner (Shelby), \*DeBerry J, \*Jones U (Shelby), \*Miller L, \*Brooks, \*Haley, \*Hassell, \*Towns, \*Cooper B, \*DeBerry L.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Bowers, the resolution was adopted.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. McDaniel moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 214 out of order, which motion prevailed.

**House Joint Resolution No. 214** -- Memorials, Retirement - Ivan Charles Tucker. by \*McDaniel.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McDaniel, the resolution was adopted.

A motion to reconsider was tabled.

## SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 215:** Rep(s). Ferguson, Ridgeway, Caldwell and Cross as prime sponsor(s).

**House Bill No. 26:** Rep(s). Patton and Ford as prime sponsor(s).

**House Bill No. 129:** Rep(s). Stulce as first prime sponsor(s).

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**House Bill No. 129:** Rep(s). Wood, Walker, Sharp, McAfee, Brown and Turner (Hamilton) as prime sponsor(s).

**House Bill No. 136:** Rep(s). Rinks as prime sponsor(s).

**House Bill No. 411:** Rep(s). Armstrong as prime sponsor(s).

**House Bill No. 1152:** Rep(s). McDaniel as prime sponsor(s).

**House Bill No. 1405:** Rep(s). Phelan, Cole (Dyer), Maddox, Westmoreland, McKee, Pinion, Kent, Givens and Cole (Carter) as prime sponsor(s).

**House Bill No. 1413:** Rep(s). L. DeBerry as prime sponsor(s).

**House Bill No. 1901:** Rep(s). Pruitt as prime sponsor(s).

**House Bill No. 1979:** Rep(s). Davidson as prime sponsor(s).

**House Bill No. 1980:** Rep(s). Davidson as prime sponsor(s).

**House Bill No. 1981:** Rep(s). Davidson as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Odom was/were removed as sponsor(s) of **House Bill No. 136**.

**MESSAGE FROM THE SENATE**

**April 23, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 30 and 1030; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 23, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 122, 280, 603, 605, 1471, 1665, 1668, 1720, 1762 and 1978; also, Senate Joint Resolution(s) No(s). 170, 171, 173, 174, 176, 177, 178, 180, 181, 184, 185, 186, 187, 190 and 198 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENGROSSED BILLS**

**April 23, 1997**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s) 1174.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**April 23, 1997**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s) 214.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS**

**April 23, 1997**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 214.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**April 23, 1997**

The Speaker signed the following: House Joint Resolution(s) No(s). 214

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**April 23, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 214; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**April 23, 1997**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 214.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**April 23, 1997**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 550, 844 and 1459, also, House Joint Resolution(s) No(s) 203, 204, 205, 206, 208, 216.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**April 23, 1997**

The Speaker signed the following: Senate Bill(s) No(s). 83, 1047, 1151, 1187, 1310, 1380, 1636, 1685, 1699 and 1910; also, Senate Joint Resolution(s) No(s). 164, 166, 167 and 168.

**MESSAGE FROM THE SENATE**

**April 23, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1969, 1970, 1971, 1972, 1974 and 1976; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 23, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 848; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 23, 1997**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 51. The Senate concurred in House Amendment(s) No(s). 1, 9 and 13 and nonconcurred in House Amendment(s) No(s). 2 and 8.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 3, 1997**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 1655. The Senate concurred in House Amendment(s) No(s). 1, and nonconcurred in House Amendment(s) No(s). 2 and 3.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 23, 1997**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 559. The Senate nonconcurred in House Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 23, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 417; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 23, 1997**

MR. SPEAKER: I am directed to request the return of Senate Bill(s) No(s). 559 for further consideration.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 23, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 198, 214 and 216; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 23, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1099, 1174, 1689 and 1750; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 23, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 154 and 169; both adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Joint Resolution No. 154** -- Memorials, Congress - Urges designation of Y-12 plant in Oak Ridge as National Prototype Center. by \*McNally, \*Davis L, \*Henry.

**\*Senate Joint Resolution No. 169** -- General Assembly, Confirmation of Appointment - Beverly Wheeler Johnson, wildlife resources commission. by \*Cooper.

**MESSAGE FROM THE SENATE**

**April 23, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 112, 175, 415, 443, 510, 606, 886, 986, 1649, 1663, 1674, 1831, 1837 and 1883; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 112** -- Alcoholic Offenses - Expands prohibition against open containers of alcoholic beverages in motor vehicles to include passengers Amends TCA Section 55-10-416. by \*Jordan.

**\*Senate Bill No. 175** -- Criminal Offenses - Narrows exclusions from definition of "specified unlawful activity" for money laundering from all gambling offenses to exclude only gambling and gambling promotion. Amends TCA Title 39, Chapter 14. by \*McNally, \*Crowe.

**\*Senate Bill No. 415** -- Correction, Dept. of - Directs department to have each inmate undergo HIV testing during classification Amends TCA Title 41, Chapter 21, Part 1. by \*Dixon.

**\*Senate Bill No. 443** -- Workers' Compensation - Authorizes courts to award additional attorney's fees in workers' compensation cases if necessary to enforce medical expenses which were part of settlement or judgment. Amends TCA Title 50, Chapter 6, Part 2. by \*Haynes.

**\*Senate Bill No. 510** -- Probation - Establishes standards for private contractors who supervise misdemeanor probationers Amends TCA Section 40-35-302. by \*Springer, \*Crutchfield.

**\*Senate Bill No. 606** -- Private Protective Services - Requires chief law enforcement officers to notify commissioner of commerce and insurance within ten business days that person has been denied permit to carry firearm. Amends TCA Title 49, Chapter 7 and Title 62, Chapter 35. by \*Henry.

**\*Senate Bill No. 886** -- Election Laws - Permits county election commission to have paper ballots counted by central absentee counting board. Amends TCA Section 2-7-131. by \*Dixon.

**Senate Bill No. 986** -- Aged Persons - Authorizes department of health to establish daily or monthly amount by which reimbursement shall be paid to residential homes for aged participating in state pilot program instead of present requirement of \$13.00 per day less patient income. Amends TCA Section 12-4-320. by \*Ford J, \*Dixon.

**\*Senate Bill No. 1649** -- Education, Higher - Deletes dollar cap on student activity fees; removes prohibition on having student referendum within two years of failed referendum on raising fees. Amends TCA Section 49-8-110. by \*Crowe.

**Senate Bill No. 1663** -- Taxes, Franchise - Extends business franchise tax job tax credit for each net new full time employee job through January 1, 2008. Amends TCA Section 67-4-908(c). by \*Miller J, \*Williams, \*Elsea, \*McNally, \*Atchley, \*Person, \*Jordan, \*Koella, \*Haun, \*Carter, \*Ramsey, \*Leatherwood, \*Gilbert, \*Miller J, \*Fowler.

**Senate Bill No. 1674** -- Parks, Natural Areas Preservation - Incorporates additional lands into designated natural areas. Amends TCA Section 11-14-108. by \*Gilbert, \*Williams, \*Elsea, \*McNally, \*Atchley, \*Person, \*Jordan, \*Haun, \*Carter, \*Ramsey, \*Leatherwood, \*Gilbert, \*Miller J.

**Senate Bill No. 1831** -- Civil Procedure - Expands personal jurisdiction and out-of-state service of process based on enduring relationship or conduct; provides for personal jurisdiction on any basis authorized by law or by state or federal constitution. Amends TCA Title 20, Chapter 2. by \*Haynes.

**Senate Bill No. 1837** -- Insurance, Health, Accident - Requires written description of policy coverage provided to certain plan beneficiaries to include required coverage for phenylketonuria. Amends TCA Title 56, Chapter 7, Part 25. by \*Herron, \*Dixon.

**Senate Bill No. 1883** -- Funeral Directors and Embalmers - Permits prevailing party proving fraud in civil action relative to pre-need funeral contracts to receive treble damages, attorney fees, costs, and interest; requires yearly audits of persons that sell pre-need funeral contracts; requires commissioner to promulgate and revise rules concerning pre-need funeral contracts. Amends TCA Title 56, Chapter 34 and Title 62, Chapter 5, Part 4. by \*McNally.

## ROLL CALL

The roll call was taken with the following results:

Present ..... 98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 98.

**WEDNESDAY, APRIL 23, 1997 -- THIRTY-THIRD LEGISLATIVE DAY**

**RECESS MOTION**

On motion of Rep. Hargrove, the House recessed until Thursday, April 24, 1997.